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BARNES & THORNBURG LLP
P.O. BOX 2786
CHICAGO, IL 60690-2786

EXAMINER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/878,874
Filing Date: June 11, 2001
Appellant(s): MCCORMACK ET AL.

Mr. William M. Lee, Jr.
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 6/22/2010 appealing from the Office action mailed 8/18/2010.

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(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

Claims 1 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Drozdewicz et al. (Hereinafter Drozdewicz) (U.S. Publication 2002/0091769 A1).

Claims 1 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Jonsson (Hereinafter Jonsson) (U.S. Patent 6,272,214 B1).

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Claims 1 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Doganata et al., (Hereinafter Doganata) (U.S. Patent 6,798,753 B1).

Claims 1-3, 11, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Summers et al., (Hereinafter Summers) (U.S. Patent 6,876,734 B1) in view of Linden et al., (Hereinafter Linden) (U.S. Patent 6,549,773 B1).

Claims 4 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Summers in view of Linden and in further view of Higgins et al., (Hereinafter Higgins) (U.S. Publication 2002/0116505 A1).

Claims 5, 25 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Summers in view of Linden and in further view of Lippert et al., (Hereinafter Lippert) (U.S. Patent 6,626,957 B1).

Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Summers in view of Linden and in further view of Voit et al., (Hereinafter Voit) (U.S. Patent 6,215,790 B1).

Claims 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Summers in view of Linden and in further view of Yiu et al., (Hereinafter Yiu) (U.S. Publication 2003/0181205 A1).

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Summers in view of Linden and further in view of Low et al., (Hereinafter Low) (U.S. Patent 6,798,771 B1).

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

U.S. Publication 2002/0091769 A1	Drozdzewicz	07-2002
U.S. Patent 6,272,214 B1	Jonsson	08-2001
U.S. Patent 6,798,753 B1	Doganata	09-2004
U.S. Patent 6,876,734 B1	Summers	04-2005
U.S. Patent 6,549,773 B1	Linden	04-2003
U.S. Publication 2002/0116505 A1	Higgins	08-2002
U.S. Patent 6,626,957 B1	Lippert	09-2003
U.S. Patent 6,215,790 B1	Voit	04-2001
U.S. Publication 2003/0181205 A1	Yiu	09-2003
U.S. Patent 6,798,771 B1	Low	09-2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis

for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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Claims 1 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Drozdewicz et al. 2002/0091769 (Hereinafter Drozdewicz).

Referring to claim 1, Drozdewicz clearly discloses a method of establishing a telephone call over a communications network between a call source and one of a plurality of call destinations using a web based telephony application hosted by a web server (e.g., usage of conferencing method, title, page 1), said method comprising the steps of: (i) receiving at the web server a uniform resource identifier (URI) comprising information about the plurality of call destinations and time ranges associated with said plurality of call destinations (e.g., usage of web server, conferencing system, URL, internet, page 1); (ii) arranging the web based telephony application to access the URI in response to a call event to compare a current time with the associated time ranges to select an appropriate one of the plurality of call destinations according to the time comparison and to instruct a telephony apparatus in the communications system to establish said call to said selected one of the plurality of call destinations (e.g., usage of web server, conferencing system, URL, internet, page 1).

Referring to claim 11, Drozdewicz clearly discloses a web-based telephony application for establishing a telephone call over a communications network between a source and one of a plurality of call destinations, said web-based telephony application being hosted by a web server (e.g., usage of web server, conferencing system, URL, internet, page 1), the web-based telephony application comprising: (i) an input arranged to receive a uniform resource identifier (URI) comprising information about the plurality of call destinations and time ranges associated with said plurality of call destinations (e.g., usage of web server, conferencing system, URL, internet,

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page 1); and (ii) a computer program arranged to access the URI and in response to a call event to compare a current time with the associated time ranges to select an appropriate one of the plurality of call destinations according to the time comparison and to instruct a telephony apparatus in the communications system to establish said call to said selected one of the plurality of call destinations (e.g., usage of web server, conferencing system, URL, internet, page 1).

Claims 1 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Jonsson 6,272,214 (Hereinafter Jonsson).

Referring to claim 1, Jonsson clearly discloses a method of establishing a telephone call over a communications network between a call source and one of a plurality of call destinations using a web based telephony application hosted by a web server (e.g., usage of conferencing method, cols. 3, 4), said method comprising the steps of: (i) receiving at the web server a uniform resource identifier (URI) comprising information about the plurality of call destinations and time ranges associated with said plurality of call destinations (e.g., usage of server, conference service node , URL, internet, col., 3, 4); (ii) arranging the web based telephony application to access the URI in response to a call event to compare a current time with the associated time ranges to select an appropriate one of the plurality of call destinations according to the time comparison and to instruct a telephony apparatus in the communications system to establish said call to said selected one of the plurality of call destinations (e.g., usage of server, conference service node , URL, internet, col., 3, 4).

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Referring to claim 11, Jonsson clearly discloses a web-based telephony application for establishing a telephone call over a communications network between a source and one of a plurality of call destinations, said web-based telephony application being hosted by a web server (e.g., usage of web server, conference service node , URL, internet, col., 3, 4), the web-based telephony application comprising: (i) an input arranged to receive a uniform resource identifier (URI) comprising information about the plurality of call destinations and time ranges associated with said plurality of call destinations (e.g., usage of web server, conference service node , URL, internet, col., 3, 4); and (ii) a computer program arranged to access the URI and in response to a call event to compare a current time with the associated time ranges to select an appropriate one of the plurality of call destinations according to the time comparison and to instruct a telephony apparatus in the communications system to establish said call to said selected one of the plurality of call destinations (e.g., usage of web server, conference service node , URL, internet, col., 3, 4).

Claims 1 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Doganata 6,798,753 (Hereinafter Doganata).

Referring to claim 1, Doganata clearly discloses a method of establishing a telephone call over a communications network between a call source and one of a plurality of call destinations using a web based telephony application hosted by a web server (e.g., usage of conferencing method, cols. 3), said method comprising the steps of: (i) receiving at the web server a uniform resource identifier (URI) comprising information about the plurality of call destinations and time ranges associated with said plurality of call destinations (e.g., usage of web server, conference

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scheduling device , URL, internet, col., 3, 4); (ii) arranging the web based telephony application to access the URI in response to a call event to compare a current time with the associated time ranges to select an appropriate one of the plurality of call destinations according to the time comparison and to instruct a telephony apparatus in the communications system to establish said call to said selected one of the plurality of call destinations (e.g., usage of web server, conference scheduling device , URL, internet, col., 3, 4).

Referring to claim 11, Doganata clearly discloses a web-based telephony application for establishing a telephone call over a communications network between a source and one of a plurality of call destinations, said web-based telephony application being hosted by a web server (e.g., usage of web server, conference scheduling device , URL, internet, col., 3, 4), the web-based telephony application comprising: (i) an input arranged to receive a uniform resource identifier (URI) comprising information about the plurality of call destinations and time ranges associated with said plurality of call destinations (e.g., usage of web server, conference scheduling device , URL, internet, col., 3, 4); and (ii) a computer program arranged to access the URI and in response to a call event to compare a current time with the associated time ranges to select an appropriate one of the plurality of call destinations according to the time comparison and to instruct a telephony apparatus in the communications system to establish said call to said selected one of the plurality of call destinations (e.g., usage of web server, conference scheduling device , URL, internet, col., 3, 4).

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 11, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Summers et al., 6,876,734, eMeeting.net Inc., (Hereinafter Summers-eMeeting) in view of Linden et al., 6,549,773, Nokia Mobile Phones Limited (Hereinafter Linden-Nokia).

Referring to claim 1, Summers-eMeeting discloses a method of establishing a telephone call over a communications network between a call source and one of a plurality of call destinations using a web based telephony application hosted by a web server (e.g., col., 3, lines 27 – 54), said method comprising the steps of: (i) receiving at the web server a request comprising information about the plurality of call destinations and time ranges associated with said plurality of call destinations (e.g., col., 3, lines 27 – 54); (ii) arranging the web based telephony application to access the request in response to a call event to compare a current time with the associated time ranges (e.g., col., 4, lines 31 – 62) to select an appropriate one of the plurality of call destinations according to the time comparison (e.g., col., 4, lines 31 – 62) and to instruct a telephony apparatus in the communications system to establish said call to said selected one of the plurality of call destinations (e.g., col., 4, lines 31 – 62).

Summers-eMeeting also discloses usage of HTML, web setup, web pages, forms, e-mail, and other suitable information for a user to setup and/or progress the conference (col., 5, lines 17 – 23).

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However, Summers-eMeeting does not specifically mention about the request being a uniform resource identifier (URI).

Linden-Nokia discloses a well-known concept of using the uniform resource identifier (URI) (usage of URI for identifying information for the request, abstract, lines 7 - 14).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Summers-eMeeting with the teachings of Linden-Nokia in order to facilitate usage of the uniform resource identifier (URI) because the URI would enhance representing information for the request. Since, the URI contains a character string that is used to identify an item from anywhere on the Internet, the URI would support identifying the information presented by the Summers-eMeeting's request. Using the URI, the information of the Summers-eMeeting's request would be communicated to the server over the network.

Referring to claim 2, Summers-eMeeting and Linden-Nokia disclose the claimed limitations rejected under claim 1. Summers-eMeeting also discloses said step (i) comprises receiving the request (setting up a conference, col., 5, lines 36 – 39, participating through telephone and/or participating through Internet, item 230 of figure 6) from another entity (IP address of the another user to be joined, col., 5, lines 17 – 23) selected from a web site (usage of HTML, web setup, web pages, forms, col., 5, lines 17 – 23, usage of Internet-enabled interface, web setup software and web browser, col., 6, lines 10 - 12) and a software application on a user terminal (conference control software, web setup software, web monitoring software on a user computer, col., 5, line 57 – col., 6, line 12).

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Referring to claim 3, Summers-eMeeting and Linden-Nokia disclose the claimed limitations rejected under claim 1. Summers-eMeeting also discloses said step (i) comprises receiving the request (setting up a conference, col., 5, lines 36 – 39, participating through telephone and/or participating through Internet, item 230 of figure 6) from a web-based conference call booking application (conference control software, web setup software, web monitoring software on a user computer for setting up the conference, col., 5, line 57 – col., 6, line 12).

Referring to claim 11, Summers-eMeeting discloses a web-based telephony application for establishing a telephone call over a communications network between a source and one of a plurality of call destinations, said web-based telephony application being hosted by a web server (e.g., col., 3, lines 27 – 54), the web-based telephony application comprising: (i) an input arranged to receive a request comprising information about the plurality of call destinations and time ranges associated with said plurality of call destinations (e.g., col., 3, lines 27 – 54); and (ii) a computer program arranged to access the request and in response to a call event to compare a current time with the associated time ranges to select an appropriate one of the plurality of call destinations according to the time comparison and to instruct a telephony apparatus in the communications system to establish said call to said selected one of the plurality of call destinations (e.g., col., 4, lines 31 – 62).

However, Summers-eMeeting does not specifically mention about the request being a uniform resource identifier (URI).

Linden-Nokia discloses a well-known concept of using the uniform resource identifier (URI) (usage of URI for identifying information for the request, abstract, lines 7 - 14).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Summers-eMeeting with the teachings of Linden-Nokia in order to facilitate usage of the uniform resource identifier (URI) because the URI would enhance representing information for the request. Since, the URI contains a character string that is used to identify an item from anywhere on the Internet, the URI would support identifying the information presented by the Summers-eMeeting's request. Using the URI, the information of the Summers-eMeeting's request would be communicated to the server over the network.

Referring to claim 19, Summers-eMeeting and Linden-Nokia disclose the claimed limitations rejected under claim 11. Summers-eMeeting also discloses a web-browser (usage of HTML, web setup, web pages, forms, col., 5, lines 17 – 23, usage of Internet-enabled interface, web setup software and web browser, col., 6, lines 10 - 12) which is arranged to receive a plurality of requests (one or more conferences, col., 2, lines 38 – 39), each comprising time information (start data and time, stop date and time, duration, col., 4, lines 58 – 62), and to select one of the plurality of requests (conference request, col., 2, lines 38 – 39) on the basis of the time information in said requests (scheduled start date and time of the conference to take place of the conferences, col., 4, lines 58 – 62, figure 5, item 202) arranged to receive said URI comprising said information about the plurality of call destinations and time ranges associated with said plurality of call destinations (e.g., , col., 4, lines 28 – 65).

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Claims 4 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Summers-eMeeting in view of Linden-Nokia and in further view of Higgins et al., U. S. Publication 2002/0116505, Sun Microsystems (Hereinafter Higgins-Sun).

Referring to claim 4, Summers-eMeeting and Linden-Nokia disclose the claimed limitations rejected under claim 1. Summers-eMeeting also discloses said step (i) comprises receiving the request (setting up a conference, col., 5, lines 36 – 39, participating through telephone and/or participating through Internet, item 230 of figure 6) from an application (conference control software, web setup software, web monitoring software on a user computer for setting up the conference, col., 5, line 57 – col., 6, line 12) on a user terminal (on a user computer, col., 5, line 57 – col., 6, line 12) a processor (processor of web server / file server, col., 5, lines 19-20), which is connected to the communications network (coupled to the network, col., 4, lines 16-19) such that requests are created (usage of HTML, web setup, web pages, forms, col., 5, lines 17 – 23, usage of Internet-enabled interface, web setup software and web browser, col., 6, lines 10 - 12) which comprise time information (start date and time, stop date and time, duration, col., 4, lines 58 – 62), and sent to other entities (col., 3) in within an internet protocol telephony communications network (telephone network and/or public network and/or private network, or both, col., 3, lines 47 – 54) for the purposes of establishing a telephony call (setup of a telephone call, col., 4, lines 30-39). However, Summers-eMeeting and Linden-Nokia do not disclose the application being a calendar application and the plurality of call destinations comprise a plurality of telephony enabled devices belonging to a single user.

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Higgins-Sun discloses a well-known concept of using a calendar application and the plurality of call destinations comprise a plurality of telephony enabled devices belonging to a single user (paragraph 50, page 3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Summers-eMeeting and Linden-Nokia with the teachings of Higgins-Sun in order to facilitate usage of the plurality of call destinations belonging to a single user and calendar application because the calendar application would enhance organizing information that is further used for scheduling. The calendar application would support handling information that would be used in the request and communicated to the server over the network. The plurality of call destinations would be utilized to communicate devices belonging to a user for conference setup.

Claims 5, 25 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Summers-eMeeting in view of Linden-Nokia and in further view of Lippert et al., 6,626,957, Microsoft Corporation (Hereinafter Lippert-Microsoft).

Referring to claim 5, Summers-eMeeting and Linden-Nokia disclose the claimed limitations rejected under claim 1. Summers-eMeeting also discloses said request comprises time information (time information, col., 4, lines 58 – 62, figure 5, item 202). However, Summers-eMeeting and Linden-Nokia do not disclose the time information being time zone information. Higgins-Sun discloses a well-known concept of using a time zone information (usage of a URI along with time zone information, col., 13, lines 25 - 32).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Summers-eMeeting and Linden-Nokia with the teachings of Lippert-Microsoft in order to facilitate usage of the time zone information because the time zone information would provide local time variations along with the time information that is used for scheduling. The local time variations along with the time information would be communicated to the server over the network and used to setup a conference in future.

Referring to claims 25 and 27, Summers-eMeeting and Linden-Nokia disclose the claimed limitations rejected under claim 11. Summers-eMeeting also discloses the request includes address information (conference IP address, col., 4, lines 58 – 62, figure 5, item 226), password information (password or authentication information, col., 12, lines 61 – 66, figure 5, item 230), protocol information (Internet protocol, col., 4, lines 58 – 62), time information (time information, col., 4, lines 58 – 62, figure 5, item 202) wherein said call event comprises receiving an incoming call (col., 4, lines 58 – 62) and said web based telephony application is arranged to instruct said telephony apparatus to redirect said call to said selected one of the plurality of call destinations (col., 4, lines 58 – 62).

However, Summers-eMeeting and Linden-Nokia do not disclose the time information being time zone information.

Higgins-Sun discloses a well-known concept of using a time zone information (usage of a URI along with time zone information, col., 13, lines 25 - 32).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Summers-eMeeting and Linden-Nokia with the teachings of Lippert-

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Microsoft in order to facilitate usage of the time zone information because the time zone information would provide local time variations along with the time information that is used for scheduling. The local time variations along with the time information would be communicated to the server over the network and used to setup a conference in future.

Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Summers-eMeeting in view of Linden-Nokia and in further view of Voit et al., 6,215,790, Bell Atlantic, (Hereinafter Voit-Bell Atlantic).

Referring to claim 6, Summers-eMeeting and Linden-Nokia disclose the claimed limitations rejected under claim 1. Summers-eMeeting also discloses said information about the call destination comprises a number (information about other anticipated caller of the conference, col., 4, lines 57 – 66). However, Summers-eMeeting and Linden-Nokia do not disclose the number being directory number and a respective directory number (DN) for each of said plurality of call destinations,

Voit-Bell Atlantic discloses a well-known concept of using a directory number (DN) and information about the plurality of call destinations comprises a respective directory number (DN) for each of said plurality of call destinations (usage of destination directory number, col., 7, lines 47 - 59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Summers-eMeeting and Linden-Nokia with the teachings of Voit-Bell Atlantic in order to facilitate usage of the directory number and a respective directory

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number (DN) for each of said plurality of call destinations because the directory number would provide information on which telephone over the network is used as the call destination. The call destination information would be used for scheduling the communication between the call source and the call destination.

Referring to claim 7, Summers-eMeeting and Linden-Nokia disclose the claimed limitations rejected under claim 1. Summers-eMeeting also discloses said request comprises a plurality of numbers (information and numbers of other anticipated caller of the conference, col., 4, lines 57 – 66) and a plurality of time ranges (one or more conferences, col., 2, lines 38 – 39, start data and time, stop date and time, duration, col., 4, lines 58 – 62), one for each number (one or more telephone numbers, col., 4, lines 30-39). However, Summers-eMeeting and Linden-Nokia do not disclose the numbers being directory numbers.

Voit-Bell Atlantic discloses a well-known concept of using a directory numbers (DN) and receiving an incoming call and said web based telephony application instructs said telephony apparatus to redirect said call to said selected one of the plurality of call destinations (usage of destination directory number, col., 7, lines 47 - 59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Summers-eMeeting and Linden-Nokia with the teachings of Voit-Bell Atlantic in order to facilitate usage of the directory numbers and receiving an incoming call and said web based telephony application instructs said telephony apparatus to redirect said call to said selected one of the plurality of call destinations because the directory numbers would

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provide information which respective telephones over the network are used as the call devices.

The call device information would be used for scheduling the conferences.

Claims 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Summers-eMeeting in view of Linden-Nokia and in further view of Yiu et al., 2003/0181205, Openwave, (Hereinafter Yiu-Openwave).

Referring to claim 10, Summers-eMeeting and Linden-Nokia disclose the claimed limitations rejected under claim 1. Summers-eMeeting also discloses instructing the telephony apparatus (col., 3, lines 49 – 57) to display information at the call source (information about the conference, col., 6, lines 6-12). However, Summers-eMeeting and Linden-Nokia do not disclose displaying a URI at a telephone terminal.

Yiu-Openwave discloses a well-known concept of displaying a URI at a telephone terminal (telephone to display information related to the URI, paragraph 31, page 3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Summers-eMeeting and Linden-Nokia with the teachings of Yiu-Openwave in order to facilitate usage of displaying a URI at a telephone terminal because the display at the telephone terminal would provide a user with the information that is provided by the URI. Using the display the user would be able to see the status of the telephone setup that is scheduled between the call source and the call destination.

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Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Summers-eMeeting in view of Linden-Nokia and further in view of Low et al., 6,798,771, Hewlett Packard (Hereinafter Low-Hewlett).

Referring to claim 20, Summers-eMeeting and Linden-Nokia disclose the claimed limitations rejected under claim 19. Summers-eMeeting also discloses arranging requests which comprise time information (scheduling conferences based on start data and time, stop date and time, duration, of the request, col., 4, lines 58 – 62). However, Summers-eMeeting and Linden-Nokia do not disclose a parser arranged to parse URIs.

Low-Hewlett discloses a well-known concept of a parser arranged to parse URIs (telephone to display information related to the URI, col., 33, lines 3 – 18).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Summers-eMeeting and Linden-Nokia with the teachings of Low-Hewlett in order to facilitate usage of a parser arranged to parse URIs because the parse would enhance parsing and/or separating the URIs. Based on the information contained in the URIs, the parse would be able to parse and/or separate the requests and/or URIs for scheduling the conferences. The parsing would help prioritize among the conferences.

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(10) Response to Argument**Appellant's argument:**

All of these references relate to telephone conferences which by definition involve multiple parties. Thus none of them relate to establishing a telephone call over a communications network between a call source and one of a plurality of call destinations as required by all of the claims (emphasis added).

Examiner's response:

Examiner respectfully disagrees with the Appellant. The applicant's statements are **incorrect**. The Appellant has not only ignored the teachings of the cited references but also the Appellant **has ignored his own specification**. As per the prosecution history, the Appellant himself in the **specification has not once or twice, but numerous times, related to the telephone conferences, etc.**

Below are the portions of the **Appellant's Specification** of this application under prosecution, paper dated 6/11/2001, regarding the **broadly** claimed subject matter of the claims.

Page 3 of the specification clearly containing, For example, a web-based **conferencing** application may be arranged to forward a URI to the web-based telephony application which contains information about a **conference** bridge reservation number and time. In another example, a diary or calendar application on a user's PC forwards a URI containing a directory number and a time for a scheduled call to the web-based **telephony** application.

Page 4 of the specification clearly containing, Advantageously, the URI further comprises one or more directory numbers. This enables the web-based **telephony** application to access the directory number information and use this to set up a **telephone call** at the times indicated in the URI. For example, the URI contains the DN for **a conference call** and this enables the web-based telephony application to automatically establish the conference call without a user needing to dial an unfamiliar **conference call** number. Furthermore, since the passcode for the **conference** bridge can also be embedded in the URI, once the URI is accessed by the user and received by the web-based **telephony application**, the user is accepted into the **conference**.

Page 5 of the specification clearly containing, Figure 2 is a schematic diagram of a web-based **telephony** application arranged to be used with a **conference** booking application in a communications network;

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Page 9 of the specification clearly containing, The form of this **telephony** connection is immaterial to this discussion provided there is an asynchronous voice path between the devices corresponding to the telephone numbers for parties (A) and (B), and that call control signalling initiated by one of the parties can effect call state changes or device state changes at the other party. For the sake of
10 illustration a conforming type of telephony connection involves a **tele-conference involving a third party** used as a programmatic call control point and signalling proxy by the C2T application. The C2T application server is arranged to provide a **telephony** connection conforming to these conditions.

Page 10 of the specification clearly containing, web-based clients and servers and web-based HTTP protocols are mentioned. Figure 2 illustrates a first example in which **conference call participants are automatically dialled into a conference bridge** at a pre-specified time. The same reference numerals are used in Figure 2 as for Figure 1 for corresponding components. A first web server 30 provides a web-based **conference booking service** and is connected to the IP communications network 12. The web-based telephony application 32 is modified in order to receive URIs comprising time information. A directory server 34 is also available; this server comprises a database of email addresses and corresponding DNs for users and is also connected to the IP communications network 12. A user of the client PC 24 operates the web browser and views web pages provided by the web-based **conference booking** application 30. The user enters details of the proposed time and date for the **conference call** and selects or enters email addresses of the other proposed participants (**conferencees**). It is not essential for the user to enter the email addresses of the other proposed participants; instead DNs for those participants may be entered or any other suitable information that can be used to identify those DNs. The user may also select his or her desired port usage. The web-based **conference booking application** takes this information and provides a **conference** bridge booking comprising a DN for the **conference call**, a password, and a time. The web-based **conference** application sends the DN for the conference call, the time and password for **the conference call** as well as the email addresses of the participants to the web-based telephony application.

Page 11 of the specification clearly containing, there are **three proposed conferencees**, whose email addresses are ano1@nortelnetworks.com, ano2@nortelnetworks.com and ano3@nortelnetworks.com and where the directory number for the conference call is 1-123-45678, the date of the call is 16 April 2001 and the time of the call is 11.00 GMT. In this example, a password for the conference is not included in the message. However, a password can be included, preferably in an overtyped form. When the web-based **telephony application** receives this information it converts the email addresses into the associated DNs by requesting this information from the directory server 34. The web-based telephony application processes the URIs and sets up the **conference** call automatically at the appropriate time specified in the URIs. Thus the individual **conferencees** are not required to dial into the **conference** themselves and do not have to dial the **conference** number and enter a password.

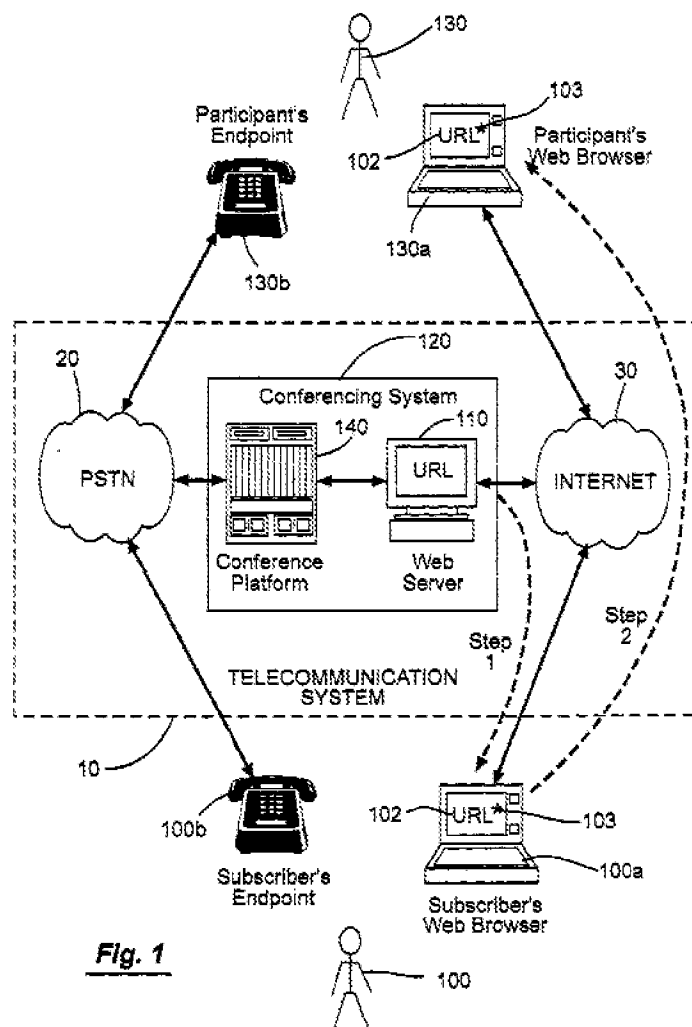
Further, the specification of the application under prosecution at page 14, clearly states, Any range or device value given herein may be extended or altered without losing the effect sought, as will be apparent to the skilled person for an understanding of the teachings herein. A range of applications are within the scope of the invention. These comprise situations in which it is required to create and send uniform resource identifiers (URIs) that comprise time information or to set up telephone calls automatically at times specified in such URIs. Further, when

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reviewing a reference the applicants should remember that not only the specific teachings of a reference but also reasonable inferences which the artisan would have logically drawn therefrom may be properly evaluated in formulating a rejection. **In re Preda, 401 F. 2d 825, 159 USPQ 342 (CCPA 1968) and In re Shepard, 319 F. 2d 194, 138 USPQ 148 (CCPA 1963).** Skill in the art is presumed.

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Further, contrary to the Appellant's allegation that none of them relate to establishing a telephone call over a communications network between a call source and one of a plurality of call destinations as required by all of the claims; for example, Drozdewicz clearly supports these limitations as shown below:



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[0039] The conferencing system 120 responds to the request in Step 3 by connecting to the endpoint 130b using the supplied identification information 210. In the case of audio conferencing, this is typically done by having the conferencing system 120 dial out to the phone number 210 entered by the end-user 130 through the PSTN 20 of the telecommunication system 10 to ring the telephone. When the telephone goes off-hook, the end-user 130 is connected to the conference through the telecommunication system 10.

[0040] The end-users (i.e., the subscriber 100 and all participants 130) use the same hyperlink 102 (and/or with optional icon 103). Multiple end-users 130 may activate the hyperlink 102 (Step 2) concurrently, and will all be processed as unique and independent entrants to the same conference. At the time of the conference, end-users can be anywhere. Under the teachings of the present invention, each end-user can enter endpoint identity information 210 that is most convenient. By way of example, each of four end-users for a conference may be at the following different locations at the set time for the conference: End-user A is at his office and enters his office phone number, end-user B is at her office and enters her cell phone number, end-user C is at home and uses the softphone in her computer through a soft phone icon 20, and end-user D is at the airport and, using a computer at a kiosk, enters his cell phone number.

As per the evidence in the prosecution history and as demonstrated above, the Appellant's assertions are incorrect regarding what the broadly claimed invention accomplishes.

Appellant's argument:

None of these references show a method or a telephony application in which a web Server: receives a uniform resource identifier (URI) comprising information about a plurality of call destinations and time ranges associated with said plurality of call destinations and is arranged to compare a current time with the associated time ranges to select an appropriate one of the plurality of call destinations according to the time comparison and to instruct a telephony

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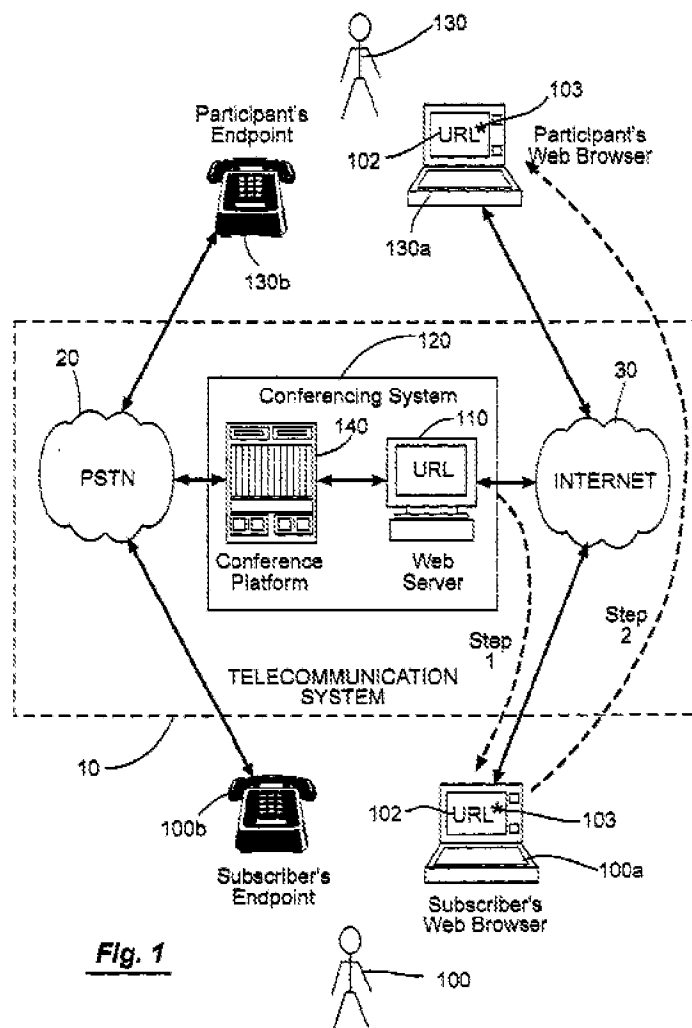
apparatus in the communications system to establish said call to said selected one of the plurality of call destinations.

Examiner's response:

Examiner respectfully disagrees with the Appellant. The applicant's assertions are **incorrect**.

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Further, contrary to the Appellant's allegation that none of them these references show the above Appellant concerned limitations; for example, Drozdewicz clearly supports the concerned limitations as shown below:



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[0039] The conferencing system 120 responds to the request in Step 3 by connecting to the endpoint 130b using the supplied identification information 210. In the case of audio conferencing, this is typically done by having the conferencing system 120 dial out to the phone number 210 entered by the end-user 130 through the PSTN 20 of the telecommunication system 10 to ring the telephone. When the telephone goes off-hook, the end-user 130 is connected to the conference through the telecommunication system 10.

[0040] The end-users (i.e., the subscriber 100 and all participants 130) use the same hyperlink 102 (and/or with optional icon 103). Multiple end-users 130 may activate the hyperlink 102 (Step 2) concurrently, and will all be processed as unique and independent entrants to the same conference. At the time of the conference, end-users can be anywhere. Under the teachings of the present invention, each end-user can enter endpoint identity information 210 that is most convenient. By way of example, each of four end-users for a conference may be at the following different locations at the set time for the conference: End-user A is at his office and enters his office phone number, end-user B is at her office and enters her cell phone number, end-user C is at home and uses the softphone in her computer through a soft phone icon 20, and end-user D is at the airport and, using a computer at a kiosk, enters his cell phone number.

[0049] For example, the subscriber 100 wants to have a conference call with participants A, B, C, and D on Monday at a set time of 9:00 a.m. The subscriber 100 distributes 340 his/her unique URL 102 to participants A, B, C, and D advising them of the 9:00 a.m. conference call. The conferencing system 120 has no "reservation data" for this conference. Should an individual participant 130 wish to participate in a conference call, the subscriber 100 clicks on the unique URL 102 (and/or icon 103) at 9:00 a.m. and provides endpoint information 210 describing how they could be contacted for that call. End-users (i.e., subscriber 100 and participants 130) click the URL when they want the system to call them, not before. If they want to join five minutes early, they would click at 8:55. If they want to join right at 9:00 a.m., they click at 9:00 a.m. If they want to join five minutes later, they would click at 9:05 a.m.

[0050] The method of the present invention leaves it to the end-user to control, in real time, when to be connected to the conference. Clicking the URL is akin to picking up the

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Please note that claims are to be given their broadest reasonable interpretation during prosecution, and the scope of a claim cannot be narrowed by reading disclosed limitations into the claim. **In re Morris**, 127 F.3d 1048, 1054, 44 USPQ2D 1023, 1027 (Fed. Cir. 1997); **In re Zletz**, 893 F.2d 319, 321, 13 USPQ2D 1320, 1322 (Fed. Cir. 1989); **In re Prater**, 415 F.2d 1393, 1404, 162 USPQ 541,550 (CCPA 1969). "In addition, the law of anticipation does not require that a reference "teach" what an appellant's disclosure teaches. Assuming that reference is properly "prior art," it is only necessary that the claims "read on" something disclosed in the reference, i.e., all limitations of the claim are found in the reference, or "fully met" by it." **Kalman v. Kimberly-Clark Corp.**, 713 F.2d 760, 772, 218 USPQ 781,789 (Fed. Cir. 1983). When reviewing a reference the applicants should remember that not only the specific teachings of a reference but also reasonable inferences which the artisan would have logically drawn therefrom may be properly evaluated in formulating a rejection. **In re Preda**, 401 F. 2d 825, 159 USPQ 342 (CCPA 1968) and **In re Shepard**, 319 F. 2d 194, 138 USPQ 148 (CCPA 1963). Skill in the art is presumed. **In re Sovish**, 769 F. 2d 738, 226 USPQ 771 (Fed. Cir. 1985). Every reference relies to some extent on knowledge of persons skilled in the art to complement that which is disclosed therein.

As per the evidence cited and as demonstrated above, the Appellant's assertions are incorrect regarding what the broadly claimed invention accomplishes.

Appellant's argument:

Drozdewicz describes a method of establishing a conference call among a plurality of participants and a subscriber in a telecommunications system (see first sentence of paragraph

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0009). According to this method, as described in claim 1 of Drozdewicz, a unique URL is assigned to the conference which is provided to the web browser of the subscriber. The URL and a set time for the conference are then delivered to each of the end users from the web browser of the subscriber. The end users provide end-point identification information via the URL and are connected to the conference through the telecommunications system in response to the provided end-point information. Drozdewicz does not disclose a method of establishing a telephone call between a call source and one of a plurality of call destinations. It discloses a method of establishing a conference call among a plurality of participants and a subscriber. According to Drozdewicz (paragraphs 0036 to 0038) a participant wishing to take part in a conference clicks on a distributed hyperlink (the URL referred to above) and is then requested to provide end-point information, such as the telephone number on which the participant wishes to be called.

According to paragraph 0040, each end-user can enter end-point identity information that is most convenient. As noted in paragraph 49, end-users click the URL "when they want the system to call them, not before". As noted in paragraph 0050, it is left to the end-user "to control, in real-time, when to be connected to the conference". Drozdewicz does not disclose receiving at a web server "a uniform resource identifier (URI) comprising information about the plurality of call destinations and time ranges associated with said plurality of call destinations". Drozdewicz uses a URL for a conference. It does not provide the calling destinations - the users have to provide these - and it will not have a plurality of time ranges since a single conference will have a single time slot. It follows from the foregoing that Drozdewicz cannot disclose the final step of claim 1, in particular comparing "a current time with the associated time ranges to select an appropriate one of the plurality of call destinations according to the time comparison". The

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system of Drozdewicz does not require any determination of which of a plurality of call destinations to use dependent on a comparison of the current time and time ranges associated with the call destinations. In Drozdewicz the end users determine when and where they want to be called.

Examiner's response:

Examiner respectfully disagrees with the Appellant.

The Appellant has argued the independent claims 1, 11 together. Each of the above-mentioned limitations, which the Appellant has argued for the Drozdewicz (last paragraph of page 6 through last paragraph of page 7 the appeal brief paper dated 6/22/2010) is supported as following:

First, as per the prosecution history, regarding the claimed limitations of the claim 1, in the "Summary of Claimed Subject Matter" at page 3 of the appeal brief paper dated 6/22/2010, the Appellant **conveniently** stated "The present claims are directed to the "**follow-me**" service ... This is particularly useful **for users who have more than one telephone**. ... This is a URI which allows **a user to set different directory numbers (DNs) for different times of day**, etc.; and then the Appellant himself choose not to even mention about it at last paragraph of page 6 through last paragraph of page 7 the appeal brief paper dated 6/22/2010 regarding the concerns of the cited Drozdewicz reference. As seen in the claim 1, the claimed invention is **neither limited to** "users who have more than one telephone" **nor limited to** "a user to set different directory numbers (DNs) for different times of day", etc., please see the broadly claimed subject matter of the claims 1 and 11 versus the **Appellant's own contrarily** statements under

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“Summary of Claimed Subject Matter. In fact, the claim 1 **does not even mention about “directory numbers (DNs)”** at all and **hence cannot be limited** to “a user to set different directory numbers (DNs) for different times of day”, etc. It is noted that the features upon which applicant relies, ““follow-me” service ... This is particularly useful for users who have more than one telephone. ... This is a URI which allows a user to set different directory numbers (DNs) for different times of day, etc.”, are **not recited in either claim 1 or claim 11**. Although the claims are interpreted in light of the specification, **limitations from the specification are not read into the claims**. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The First inquiry must be into exactly what the **claims** define. See *In re Wilder*, 166 USPQ 545, 548 (CCPA 1970).

The Appellant **totally ignores** the Drozdewicz teachings even when **it supports all the limitations, and relevant**. Therefore, examiner would like to point out how Drozdewicz **clearly** teaches all the Appellant concerned limitations. Note: The disclosure and teachings of Drozdewicz are not limited as conveniently concluded by the Appellant at last paragraph of page 6 through last paragraph of page 7 the appeal brief paper dated 6/22/2010.

Regarding the Appellant’s concerns that Drozdewicz describes a method of establishing a conference call among a plurality of participants and a subscriber in a telecommunications system (see first sentence of paragraph 0009); below are the portions of the **Appellant’s Specification** of this application under prosecution, paper dated 6/11/2001, regarding the **broadly** claimed subject matter of the claims, which are **related**.

Page 3 of the specification clearly containing, For example, a web-based **conferencing** application may be arranged to forward a URI to the web-based telephony application which

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contains information about a **conference** bridge reservation number and time. In another example, a diary or calendar application on a user's PC forwards a URI containing a directory number and a time for a scheduled call to the web-based **telephony** application.

Page 4 of the specification clearly containing, Advantageously, the URI further comprises one or more directory numbers. This enables the web-based **telephony** application to access the directory number information and use this to set up a **telephone call** at the times indicated in the URI. For example, the URI contains the DN for a **conference call** and this enables the web-based telephony application to automatically establish the conference call without a user needing to dial an unfamiliar **conference call** number. Furthermore, since the passcode for the **conference** bridge can also be embedded in the URI, once the URI is accessed by the user and received by the web-based **telephony** application, the user is accepted into the **conference**.

Page 5 of the specification clearly containing, Figure 2 is a schematic diagram of a web-based **telephony** application arranged to be used with a **conference** booking application in a communications network;

Page 9 of the specification clearly containing, The form of this **telephony** connection is immaterial to this discussion provided there is an asynchronous voice path between the devices corresponding to the telephone numbers for parties (A) and (B), and that call control signalling initiated by one of the parties can effect call state changes or device state changes at the other party. For the sake of

10 illustration a conforming type of telephony connection involves a **tele-conference involving a third party** used as a programmatic call control point and signalling proxy by the C2T application. The C2T application server is arranged to provide a **telephony** connection conforming to these conditions.

Page 10 of the specification clearly containing, web-based clients and servers and web-based HTTP protocols are mentioned. Figure 2 illustrates a first example in which **conference call participants are automatically dialled into a conference bridge** at a pre-specified time. The same reference numerals are used in Figure 2 as for Figure 1 for corresponding components. A first web server 30 provides a web-based **conference booking service** and is connected to the IP communications network 12. The web-based telephony application 32 is modified in order to receive URIs comprising time information. A directory server 34 is also available; this server comprises a database of email addresses and corresponding DNs for users and is also connected to the IP communications network 12. A user of the client PC 24 operates the web browser and views web pages provided by the web-based **conference booking** application 30. The user enters details of the proposed time and date for the **conference call** and selects or enters email addresses of the other proposed participants (**conferencees**). It is not essential for the user to enter the email addresses of the other proposed participants; instead DNs for those participants may be entered or any other suitable information that can be used to identify those DNs. The user may also select his or her desired port usage. The web-based **conference booking application** takes this information and provides a **conference** bridge booking comprising a DN for the **conference call**, a password, and a time. The web-based **conference** application sends the DN for the conference call, the time and password for **the conference call** as well as the email addresses of the participants to the web-based telephony application.

Page 11 of the specification clearly containing, there are **three proposed conferencees**, whose email addresses are ano1@nortelnetworks.com, ano2@nortelnetworks.com and ano3@nortelnetworks.com and where the directory number for the conference call is 1-123-45678, the date of the call is 16 April 2001 and the time of the call is

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11.00 GMT. In this example, a password for the conference is not included in the message. However, a password can be included, preferably in an overtyped form. When the web-based **telephony application** receives this information it converts the email addresses into the associated DNS by requesting this information from the directory server 34. The web-based telephony application processes the URIs and sets up the **conference** call automatically at the appropriate time specified in the URIs. Thus the individual **conferencess** are not required to dial into the **conference** themselves and do not have to dial the **conference** number and enter a password.

Regarding, the Appellant's concerns, According to this method, **as described in claim 1 of Drozdewicz**, a unique URL is assigned to the conference which is provided to the web browser of the subscriber. The URL and a set time for the conference are then delivered to each of the end users from the web browser of the subscriber. The end users provide end-point identification information via the URL and are connected to the conference through the telecommunications system in response to the provided end-point information; The Appellant's concerns are **irrelevant**, because the **rejections are not made using the claim 1 of the Drozdewicz**. Further, the disclosure and teachings of Drozdewicz are not limited to the claim 1 of Drozdewicz.

Regarding the Appellant's concerns, Drozdewicz does not disclose a method of establishing a telephone call between a call source and one of a plurality of call destinations; please refer to the figure 1 and paragraphs 39 and 40 that clearly support the establishing of the telephone call between the call source and one of a plurality of call destinations among **telephones/cellular phones, web server, telephone communication system, PSTN, desktop phone of the users**.

Regarding the applicant's concerns, Drozdewicz discloses a method of establishing a conference call among a plurality of participants and a subscriber. According to Drozdewicz

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(paragraphs 0036 to 0038) a participant wishing to take part in a conference clicks on a distributed hyperlink (the URL referred to above) and is then requested to provide end-point information, such as the telephone number on which the participant wishes to be called. According to paragraph 0040, each end-user can enter end-point identity information that is most convenient. As noted in paragraph 49, end-users click the URL "when they want the system to call them, not before". As noted in paragraph 0050, it is left to the end-user "to control, in real-time, when to be connected to the conference"; these concerns are **irrelevant** because the disclosure and teachings of Drozdewicz are not limited as conveniently concluded by the Appellant. The disclosure and teachings of each of the applicant mentioned paragraphs of Drozdewicz is not limited as conveniently concluded by the Appellant.

Regarding the Appellant's concerns, Drozdewicz does not disclose receiving at a web server "a uniform resource identifier (URI) comprising information about the plurality of call destinations and time ranges associated with said plurality of call destinations", comparing "a current time with the associated time ranges to select an appropriate one of the plurality of call destinations according to the time comparison; the Appellant **conveniently, totally, ignored the usage of the web server 110 of figure 1, the conferencing system 120, the telecommunication system** of Drozdewicz that implements these limitations, and the URLs along with information including the time ranges for the comparison, please see figure 4, paragraph 49, etc that perform the comparing of the current time with the time ranges to select one of the plurality of call destinations for the establishing of the telephone call between the call source and one of the plurality of call destinations among **telephones/cellular phones, desktop phone of the users utilizing the time information at the web server, telephone communication system, PSTN.**

The Appellant ignored the web server 110 of Drozdewicz that receives call destination information and then establishes a call.

As per the **evidence** cited and as demonstrated above, the Appellant's **assertions are incorrect** regarding what the **broadly** claimed invention **accomplishes**.

Appellant's argument:

Jonsson also relates to the provision of a conference or "telemeeting". According to column 2 line 37 intended participants are invited to the meeting by including a unique identifier (e.g. telephone number or URL) along with a notification message. The participant then uses the unique identifier to be connected to the telemeeting. In the specific embodiment described in column 4 at lines 8 to 11 at least one of a plurality of phone numbers for an upcoming meeting session is allocated for a predetermined period of time. As with Drozdewicz, Jonsson does not disclose a method of establishing a telephone call between a call source and one of a plurality of call destinations. It discloses a method of establishing a conference call among a plurality of participants and a subscriber. Jonsson does not disclose receiving at a web server a URI comprising information about a plurality of call destinations and time ranges associated with said plurality of call destinations. In Jonsson, a service node allocates time ranges (i.e. call durations) to call destinations (telephone numbers) associated with a particular conference. In the system of Jonsson, the onus is on the participants to call into the conference. It is not the case that a web server or anything similar receives call destination information and then establishes a call. In this respect Jonsson is less relevant than Drozdewicz. It follows from the foregoing that Jonsson cannot disclose the final step of claim 1, in particular comparing "a current time with the

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associated time ranges to select an appropriate one of the plurality of call destinations according to the time comparison". In Jonsson there is no selection by a web server or anything similar of an appropriate call destination according to the current time.

Examiner's response:

Examiner respectfully disagrees with the Appellant.

The Appellant has argued the independent claims 1, 11 together. Each of the above-mentioned limitations, which the Appellant has argued for the Jonsson (under "Ground 2", first paragraph through sixth paragraph of page 8 of the appeal brief paper dated 6/22/2010) is supported as following:

First, as per the prosecution history, regarding the claimed limitations of the claim 1, in the "Summary of Claimed Subject Matter" at page 3 of the appeal brief paper dated 6/22/2010, the Appellant **conveniently** stated "The present claims are directed to the "**follow-me**" service ... This is particularly useful **for users who have more than one telephone**. ... This is a URI which allows **a user to set different directory numbers (DNs) for different times of day**, etc.; and then the Appellant himself choose not to even mention about it at last paragraph of page 6 through last paragraph of page 7 the appeal brief paper dated 6/22/2010 regarding the concerns of the cited Jonsson reference. As seen in the claim 1, the claimed invention is **neither limited to** "users who have more than one telephone" **nor limited to** "a user to set different directory numbers (DNs) for different times of day", etc., please see the broadly claimed subject matter of the claims 1 and 11 versus the **Appellant's own contrarily** statements under "Summary of Claimed Subject Matter. In fact, the claim 1 **does not even mention about "directory numbers**

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(DNs)” at all and **hence cannot be limited** to “a user to set different directory numbers (DNs) for different times of day”, etc. It is noted that the features upon which applicant relies, ““follow-me” service ... This is particularly useful for users who have more than one telephone. ... This is a URI which allows a user to set different directory numbers (DNs) for different times of day, etc.”, are **not recited in either claim 1 or claim 11**. Although the claims are interpreted in light of the specification, **limitations from the specification are not read into the claims**. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The First inquiry must be into exactly what the **claims** define. See *In re Wilder*, 166 USPQ 545, 548 (CCPA 1970).

The Appellant **totally ignores** the Jonsson teachings even when **it supports all the limitations, and relevant**. Therefore, examiner would like to point out how Jonsson **clearly** teaches all the Appellant concerned limitations. Note: The disclosure and teachings of Jonsson are not limited as conveniently concluded by the Appellant at first paragraph through sixth paragraph, under “Ground 2”, of page 8 of the appeal brief paper dated 6/22/2010.

Regarding the Appellant’s concerns that Jonsson also relates to the provision of a **conference** or “telemeeting”; below are the portions of the **Appellant’s Specification** of this application under prosecution, paper dated 6/11/2001, regarding the **broadly** claimed subject matter of the claims, which are **related**.

Page 3 of the specification clearly containing, For example, a web-based **conferencing** application may be arranged to forward a URI to the web-based telephony application which contains information about a **conference** bridge reservation number and time. In another example, a diary or calendar application on a user's PC forwards a URI containing a directory number and a time for a scheduled call to the web-based **telephony** application.

Page 4 of the specification clearly containing, Advantageously, the URI further comprises one or more directory numbers. This enables the web-based **telephony** application to access the directory number information and use this to set up a **telephone call** at the times indicated in the URI. For example, the URI contains the DN for **a conference call** and this

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enables the web-based telephony application to automatically establish the conference call without a user needing to dial an unfamiliar conference call number. Furthermore, since the passcode for the conference bridge can also be embedded in the URI, once the URI is accessed by the user and received by the web-based telephony application, the user is accepted into the conference.

Page 5 of the specification clearly containing, Figure 2 is a schematic diagram of a web-based telephony application arranged to be used with a conference booking application in a communications network;

Page 9 of the specification clearly containing, The form of this telephony connection is immaterial to this discussion provided there is an asynchronous voice path between the devices corresponding to the telephone numbers for parties (A) and (B), and that call control signalling initiated by one of the parties can effect call state changes or device state changes at the other party. For the sake of

illustration a conforming type of telephony connection involves a tele-conference involving a third party used as a programmatic call control point and signalling proxy by the C2T application. The C2T application server is arranged to provide a telephony connection conforming to these conditions.

Page 10 of the specification clearly containing, web-based clients and servers and web-based HTTP protocols are mentioned. Figure 2 illustrates a first example in which conference call participants are automatically dialed into a conference bridge at a pre-specified time. The same reference numerals are used in Figure 2 as for Figure 1 for corresponding components. A first web server 30 provides a web-based conference booking service and is connected to the IP communications network 12. The web-based telephony application 32 is modified in order to receive URIs comprising time information. A directory server 34 is also available; this server comprises a database of email addresses and corresponding DNs for users and is also connected to the IP communications network 12. A user of the client PC 24 operates the web browser and views web pages provided by the web-based conference booking application 30. The user enters details of the proposed time and date for the conference call and selects or enters email addresses of the other proposed participants (conferencees). It is not essential for the user to enter the email addresses of the other proposed participants; instead DNs for those participants may be entered or any other suitable information that can be used to identify those DNs. The user may also select his or her desired port usage. The web-based conference booking application takes this information and provides a conference bridge booking comprising a DN for the conference call, a password, and a time. The web-based conference application sends the DN for the conference call, the time and password for the conference call as well as the email addresses of the participants to the web-based telephony application.

Page 11 of the specification clearly containing, there are three proposed conferencees, whose email addresses are ano1@nortelnetworks.com, ano2@nortelnetworks.com and ano3@nortelnetworks.com and where the directory number for the conference call is 1-123-45678, the date of the call is 16 April 2001 and the time of the call is 11.00 GMT. In this example, a password for the conference is not included in the message. However, a password can be included, preferably in an overtyped form. When the web-based telephony application receives this information it converts the email addresses into the associated DNs by requesting this information from the directory server 34. The web-based telephony application processes the URIs and sets up the conference call automatically at the appropriate time specified in the URIs. Thus the individual conferencees are not required to

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dial into the **conference** themselves and do not have to dial the **conference** number and enter a password.

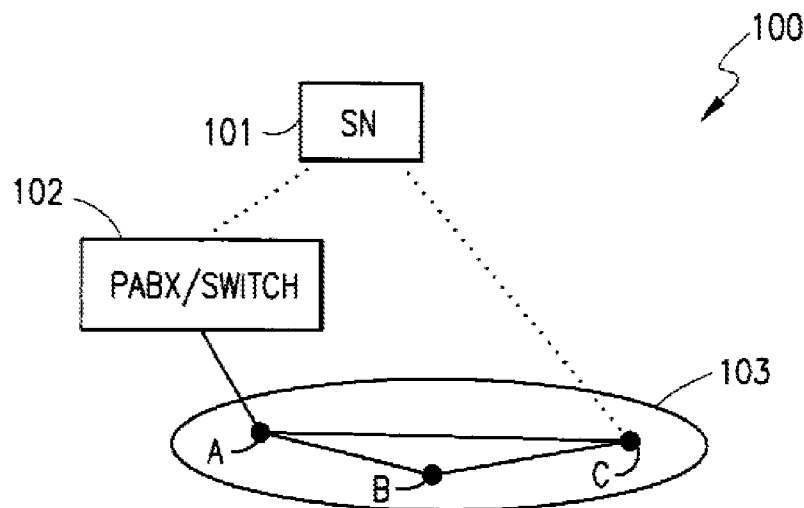
Regarding the Appellant's concerns, Jonsson does not disclose a method of establishing a telephone call between a call source and one of a plurality of call destinations; please refer to the figure 1 and col., 3, line 28 – col., 4, line 26 that clearly support the establishing of the telephone call between the call source and one of a plurality of call destinations among **telephones using service node 101 that is coupled to telecommunications network, World Wide Web, communications node, terminals, including host processor, communications controller, PABX, etc.**

Regarding the applicant's concerns, According to column 2 line 37 intended participants are invited to the meeting by including a unique identifier (e.g. telephone number or URL) along with a notification message. The participant then uses the unique identifier to be connected to the telemeeting. In the specific embodiment described in column 4 at lines 8 to 11 at least one of a plurality of phone numbers for an upcoming meeting session is allocated for a predetermined period of time; these concerns are **irrelevant** because the disclosure and teachings of Jonsson are not limited as **conveniently concluded by the Appellant.** The disclosure and teachings of each of the applicant mentioned paragraphs of Jonsson is not limited as conveniently concluded by the Appellant.

Regarding the Appellant's concerns, Jonsson does not disclose receiving at a web server a URI comprising information about a plurality of call destinations and time ranges associated with said plurality of call destinations. It is not the case that a web server or anything similar receives call destination information and then establishes a call. Jonsson cannot disclose the final step of claim 1, in particular comparing "a current time with the associated time ranges to select

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an appropriate one of the plurality of call destinations according to the time comparison". In Jonsson there is no selection by a web server or anything similar of an appropriate call destination according to the current time. The Appellant **conveniently, totally, ignored the usage of the service node 101 of figure 1, the bridge 1 and bridge 2 of figure 2, the telecommunication system** of Jonsson that implements these limitations, and the URLs along with information including the time ranges for the comparison, not only for current but also for subsequent or future or upcoming that perform the comparing of the current time with the time ranges to select one of the plurality of call destinations for the establishing of the telephone call between the call source and one of the plurality of call destinations among **telephones utilizing the time information at the service node 101 of figure 1, telephone communication system, PSTN., col., 4, line 26 – col., 5, line 30.**

***FIG. 1***

As per the **evidence** cited and as demonstrated above, the Appellant's **assertions are incorrect** regarding what the **broadly** claimed invention **accomplishes**.

Appellant's argument:

Doganata describes a system and method for providing automatic scheduling and establishment of telephone conferences over a network such as the Internet. A user inputs the information to a desktop application. The conference may be scheduled to dial out to the participants. In that case a conference service provider receives the telephone numbers of the participants and starts dialling out to the participants (see abstract). The service provider may also return a dial-in number and password to be distributed to participants so that users may dial in to the conference. Doganata is no more relevant than the references discussed above. As with Drozdewicz, Doganata does not disclose a method of establishing a telephone call between a call source and one of a plurality of call destinations. It discloses a method of establishing a conference call among a plurality of participants and a subscriber. Doganata does not disclose receiving at a web server a URI comprising information about a plurality of call destinations and time ranges associated with said plurality of call destinations. There is no disclosure of a web server or anything similar to a web server receiving a plurality of call destinations and associated time. It follows from the foregoing that Doganata cannot disclose the final step of claim 1, in particular comparing "a current time with the associated time ranges to select an appropriate one of the plurality of call destinations according to the time comparison".

Examiner's response:

Examiner respectfully disagrees with the Appellant.

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The Appellant has argued the independent claims 1, 11 together. Each of the above-mentioned limitations, which the Appellant has argued for the Doganata (last paragraph of page 8 through sixth paragraph of page 9 of the appeal brief paper dated 6/22/2010) is supported as following:

First, as per the prosecution history, regarding the claimed limitations of the claim 1, in the “Summary of Claimed Subject Matter” at page 3 of the appeal brief paper dated 6/22/2010, the Appellant **conveniently** stated “The present claims are directed to the “**follow-me**” service ... This is particularly useful **for users who have more than one telephone**. ... This is a URI which allows **a user to set different directory numbers (DNs) for different times of day**, etc.; and then the Appellant himself choose not to even mention about it at last paragraph of page 6 through last paragraph of page 7 the appeal brief paper dated 6/22/2010 regarding the concerns of the cited Doganata reference. As seen in the claim 1, the claimed invention is **neither limited to** “users who have more than one telephone” **nor limited to** “a user to set different directory numbers (DNs) for different times of day”, etc., please see the broadly claimed subject matter of the claims 1 and 11 versus the **Appellant’s own contrarily** statements under “Summary of Claimed Subject Matter. In fact, the claim 1 **does not even mention about “directory numbers (DNs)”** at all and **hence cannot be limited** to “a user to set different directory numbers (DNs) for different times of day”, etc. It is noted that the features upon which applicant relies, ““follow-me” service ... This is particularly useful for users who have more than one telephone. ... This is a URI which allows a user to set different directory numbers (DNs) for different times of day, etc.”, are **not recited in either claim 1 or claim 11**. Although the claims are interpreted in light of the specification, **limitations from the specification are not read into the claims.**

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See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The First inquiry must be into exactly what the **claims** define. See *In re Wilder*, 166 USPQ 545, 548 (CCPA 1970).

The Appellant **totally ignores** the Doganata teachings even when it supports all the limitations, and relevant. Therefore, examiner would like to point out how Doganata **clearly** teaches all the Appellant concerned limitations. Note: The disclosure and teachings of Doganata are not limited as conveniently concluded by the Appellant at last paragraph of page 8 through sixth paragraph of page 9 the appeal brief paper dated 6/22/2010.

Regarding the Appellant's concerns that Doganata describes a system and method for providing automatic scheduling and establishment of telephone conferences over a network such as the Internet; below are the portions of the **Appellant's Specification** of this application under prosecution, paper dated 6/11/2001, regarding the **broadly** claimed subject matter of the claims, which are **related**.

Page 3 of the specification clearly containing, For example, a web-based **conferencing** application may be arranged to forward a URI to the web-based telephony application which contains information about a **conference** bridge reservation number and time. In another example, a diary or calendar application on a user's PC forwards a URI containing a directory number and a time for a scheduled call to the web-based **telephony** application.

Page 4 of the specification clearly containing, Advantageously, the URI further comprises one or more directory numbers. This enables the web-based **telephony** application to access the directory number information and use this to set up a **telephone call** at the times indicated in the URI. For example, the URI contains the DN for **a conference call** and this enables the web-based telephony application to automatically establish the conference call without a user needing to dial an unfamiliar **conference call** number. Furthermore, since the passcode for the **conference** bridge can also be embedded in the URI, once the URI is accessed by the user and received by the web-based **telephony application**, the user is accepted into the **conference**.

Page 5 of the specification clearly containing, Figure 2 is a schematic diagram of a web-based **telephony** application arranged to be used with a **conference** booking application in a communications network;

Page 9 of the specification clearly containing, The form of this **telephony** connection is immaterial to this discussion provided there is an asynchronous voice path between the devices corresponding to the telephone numbers for parties (A) and (B), and that call control signalling

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initiated by one of the parties can effect call state changes or device state changes at the other party. For the sake of

illustration a conforming type of telephony connection involves a **tele-conference involving a third party** used as a programmatic call control point and signalling proxy by the C2T application. The C2T application server is arranged to provide a **telephony** connection conforming to these conditions.

Page 10 of the specification clearly containing, web-based clients and servers and web-based HTTP protocols are mentioned. Figure 2 illustrates a first example in which **conference call participants are automatically dialled into a conference bridge** at a pre-specified time. The same reference numerals are used in Figure 2 as for Figure 1 for corresponding components. A first web server 30 provides a web-based **conference booking service** and is connected to the IP communications network 12. The web-based telephony application 32 is modified in order to receive URIs comprising time information. A directory server 34 is also available; this server comprises a database of email addresses and corresponding DNs for users and is also connected to the IP communications network 12. A user of the client PC 24 operates the web browser and views web pages provided by the web-based **conference booking** application 30. The user enters details of the proposed time and date for the **conference call** and selects or enters email addresses of the other proposed participants (**conferencees**). It is not essential for the user to enter the email addresses of the other proposed participants; instead DNs for those participants may be entered or any other suitable information that can be used to identify those DNs. The user may also select his or her desired port usage. The web-based **conference booking application** takes this information and provides a **conference** bridge booking comprising a DN for the **conference call**, a password, and a time. The web-based **conference** application sends the DN for the conference call, the time and password for **the conference call** as well as the email addresses of the participants to the web-based telephony application.

Page 11 of the specification clearly containing, there are **three proposed conferencees**, whose email addresses are ano1@nortelnetworks.com, ano2@nortelnetworks.com and ano3@nortelnetworks.com and where the directory number for the conference call is 1-123-45678, the date of the call is 16 April 2001 and the time of the call is 11.00 GMT. In this example, a password for the conference is not included in the message. However, a password can be included, preferably in an overtyped form. When the web-based **telephony application** receives this information it converts the email addresses into the associated DNs by requesting this information from the directory server 34. The web-based telephony application processes the URIs and sets up the **conference** call automatically at the appropriate time specified in the URIs. Thus the individual **conferencees** are not required to dial into the **conference** themselves and do not have to dial the **conference** number and enter a password.

Regarding the Appellant's concerns, Doganata does not disclose a method of establishing a telephone call between a call source and one of a plurality of call destinations; please refer to the figure 1 and paragraphs 39 and 40 that clearly support the establishing of the telephone call

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between the call source and one of a plurality of call destinations among **telephones/cellular phones, web server, telephone communication system, PSTN, desktop phone of the users.**

Regarding the applicant's concerns, A user inputs the information to a desktop application. The conference may be scheduled to dial out to the participants. In that case a conference service provider receives the telephone numbers of the participants and starts dialling out to the participants (see abstract). The service provider may also return a dial-in number and password to be distributed to participants so that users may dial in to the conference; these concerns are **irrelevant** because the disclosure and teachings of Doganata are **not limited** as conveniently concluded by the Appellant. The disclosure and teachings of each of the applicant mentioned paragraphs of Doganata is not limited as conveniently concluded by the Appellant.

Regarding the Appellant's concerns, Doganata does not disclose receiving at a web server "a uniform resource identifier (URI) comprising information about the plurality of call destinations and time ranges associated with said plurality of call destinations", comparing "a current time with the associated time ranges to select an appropriate one of the plurality of call destinations according to the time comparison; the Appellant **conveniently, totally, ignored the usage of the service provider 15 of figure 1, I-Net 14, PSTN 16, Calendar View User Interface 22** of Doganata that implements these limitations, and the URLs along with information including the time ranges for the comparison, please see figure 1, col., 3, line 36 – col., 4, line 57, etc that perform the comparing of the current time with the time ranges to select one of the plurality of call destinations for the establishing of the telephone call between the call source and one of the plurality of call destinations among **telephones/cellular phones, desktop**

phone of the users utilizing the time information at the web server, telephone communication system, PSTN.

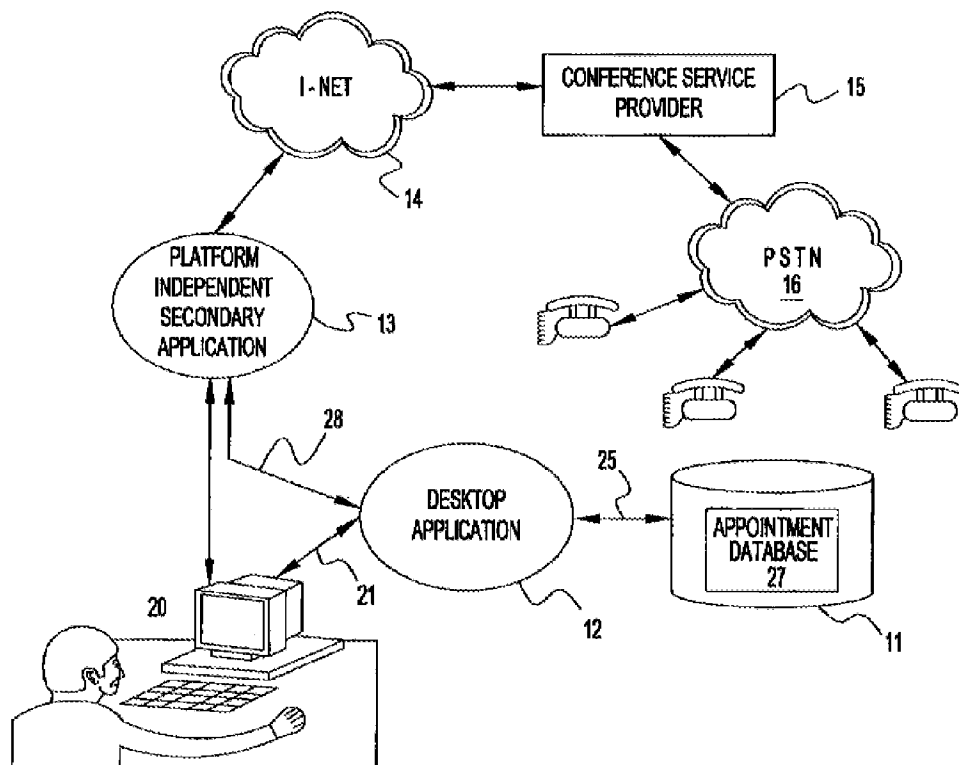


FIG.1

As per the evidence cited and as demonstrated above, the Appellant's assertions are incorrect regarding what the broadly claimed invention accomplishes.

Appellant's argument:

Summers discloses a system for scheduling a conference between callers in which a timeslot may be allocated to a caller (see top of column 5). There is no suggestion to provide a plurality of call destinations and time ranges associated with said plurality of call destinations which is then used to select which one of the call destinations is to be used for the establishment

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of the call. Therefore Summers is no more relevant than the references discussed above. Linden is simply cited to show the use of a URI and in other respects is not relevant.

Examiner's response:

Examiner respectfully disagrees with the Appellant.

The Appellant has argued the independent claims 1, 11 together. Each of the above-mentioned limitations, which the Appellant has argued for the Summers (last paragraph of page 9 of the appeal brief paper dated 6/22/2010) is supported as following:

First, as per the prosecution history, regarding the claimed limitations of the claim 1, in the "Summary of Claimed Subject Matter" at page 3 of the appeal brief paper dated 6/22/2010, the Appellant **conveniently** stated "The present claims are directed to the "**follow-me**" service ... This is particularly useful **for users who have more than one telephone**. ... This is a URI which allows **a user to set different directory numbers (DNs) for different times of day**, etc.; and then the Appellant himself choose not to even mention about it at last paragraph of page 6 through last paragraph of page 7 the appeal brief paper dated 6/22/2010 regarding the concerns of the cited Summers reference. As seen in the claim 1, the claimed invention is **neither limited to** "users who have more than one telephone" **nor limited to** "a user to set different directory numbers (DNs) for different times of day", etc., please see the broadly claimed subject matter of the claims 1 and 11 versus the **Appellant's own contrarily** statements under "Summary of Claimed Subject Matter. In fact, the claim 1 **does not even mention about "directory numbers (DNs)"** at all and **hence cannot be limited** to "a user to set different directory numbers (DNs) for different times of day", etc. It is noted that the features upon which applicant relies,

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““follow-me” service ... This is particularly useful for users who have more than one telephone. ... This is a URI which allows a user to set different directory numbers (DNs) for different times of day, etc.”, are **not recited in either claim 1 or claim 11**. Although the claims are interpreted in light of the specification, **limitations from the specification are not read into the claims**. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The First inquiry must be into exactly what the **claims** define. See *In re Wilder*, 166 USPQ 545, 548 (CCPA 1970).

The Appellant **totally ignores** the Summers teachings even when it supports all the limitations, and relevant. Therefore, examiner would like to point out how Summers **clearly** teaches all the Appellant concerned limitations. Note: The disclosure and teachings of Summers are not limited as conveniently concluded by the Appellant at last paragraph of page 9 of the appeal brief paper dated 6/22/2010.

Regarding the Appellant's concerns that Summers describes a system for scheduling a conference between callers in which a timeslot may be allocated to a caller (see top of column 5); below are the portions of the **Appellant's Specification** of this application under prosecution, paper dated 6/11/2001, regarding the **broadly** claimed subject matter of the claims, which are **related**.

Page 3 of the specification clearly containing, For example, a web-based **conferencing** application may be arranged to forward a URI to the web-based telephony application which contains information about a **conference** bridge reservation number and time. In another example, a diary or calendar application on a user's PC forwards a URI containing a directory number and a time for a scheduled call to the web-based **telephony** application.

Page 4 of the specification clearly containing, Advantageously, the URI further comprises one or more directory numbers. This enables the web-based **telephony** application to access the directory number information and use this to set up a **telephone call** at the times indicated in the URI. For example, the URI contains the DN for **a conference call** and this enables the web-based telephony application to automatically establish the conference call without a user needing to dial an unfamiliar **conference call** number. Furthermore, since the

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passcode for the **conference** bridge can also be embedded in the URI, once the URI is accessed by the user and received by the web-based **telephony application**, the user is accepted into the **conference**.

Page 5 of the specification clearly containing, Figure 2 is a schematic diagram of a web-based **telephony** application arranged to be used with a **conference** booking application in a communications network;

Page 9 of the specification clearly containing, The form of this **telephony** connection is immaterial to this discussion provided there is an asynchronous voice path between the devices corresponding to the telephone numbers for parties (A) and (B), and that call control signalling initiated by one of the parties can effect call state changes or device state changes at the other party. For the sake of

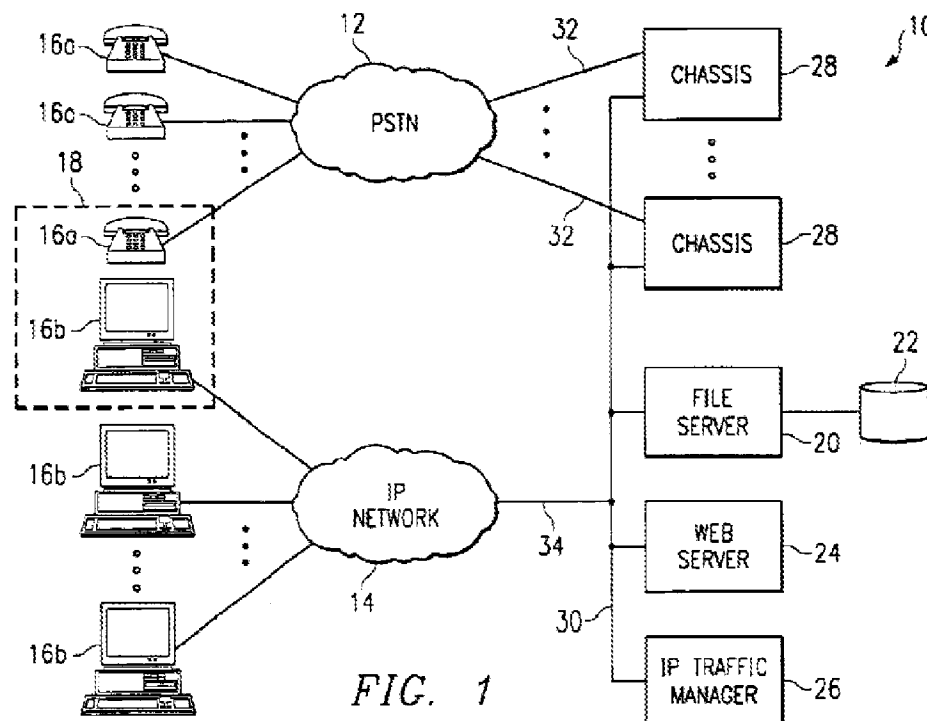
illustration a conforming type of telephony connection involves a **tele-conference involving a third party** used as a programmatic call control point and signalling proxy by the C2T application. The C2T application server is arranged to provide a **telephony** connection conforming to these conditions.

Page 10 of the specification clearly containing, web-based clients and servers and web-based HTTP protocols are mentioned. Figure 2 illustrates a first example in which **conference call participants are automatically dialled into a conference bridge** at a pre-specified time. The same reference numerals are used in Figure 2 as for Figure 1 for corresponding components. A first web server 30 provides a web-based **conference booking service** and is connected to the IP communications network 12. The web-based telephony application 32 is modified in order to receive URIs comprising time information. A directory server 34 is also available; this server comprises a database of email addresses and corresponding DNs for users and is also connected to the IP communications network 12. A user of the client PC 24 operates the web browser and views web pages provided by the web-based **conference booking** application 30. The user enters details of the proposed time and date for the **conference call** and selects or enters email addresses of the other proposed participants (**conferencees**). It is not essential for the user to enter the email addresses of the other proposed participants; instead DNs for those participants may be entered or any other suitable information that can be used to identify those DNs. The user may also select his or her desired port usage. The web-based **conference booking application** takes this information and provides a **conference** bridge booking comprising a DN for the **conference call**, a password, and a time. The web-based **conference** application sends the DN for the conference call, the time and password for **the conference call** as well as the email addresses of the participants to the web-based telephony application.

Page 11 of the specification clearly containing, there are **three proposed conferencees**, whose email addresses are ano1@nortelnetworks.com, ano2@nortelnetworks.com and ano3@nortelnetworks.com and where the directory number for the conference call is 1-123-45678, the date of the call is 16 April 2001 and the time of the call is 11.00 GMT. In this example, a password for the conference is not included in the message. However, a password can be included, preferably in an overtyped form. When the web-based **telephony application** receives this information it converts the email addresses into the associated DNs by requesting this information from the directory server 34. The web-based telephony application processes the URIs and sets up the **conference** call automatically at the appropriate time specified in the URIs. Thus the individual **conferencees** are not required to dial into the **conference** themselves and do not have to dial the **conference** number and enter a password.

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Regarding the Appellant's concerns, There is no suggestion to provide a plurality of call destinations and time ranges associated with said plurality of call destinations which is then used to select which one of the call destinations is to be used for the establishment of the call; please refer to col., 3, lines 27 – 54 that clearly support the establishing of the telephone call between the call source and one of a plurality of call destinations among telephones, web server of IP network 14, telephone communication system and PSTN 12, different types of phones and users 16a, 16b of the figure 1. The Appellant conveniently, totally, ignored the usage of the web server of IP network 14 of figure 1, the scheduling of the conferencing system, the telecommunication system, col., 2, lines 10-65, time ranges figure 5.



Conference Setup

Account Number: 154
Account Name: eMeeting.net

Setup Type: Detailed

Start Date: 03/01/2000

Start Time: 09 : 00 AM CDT

Duration: 02 Hrs 00 Mins

Maximum Users: 50

User 1
User 2
:
:
User 50

Conference Password

Confirmation Method: E-mail

Schedule Conference

FIG. 5

As per the evidence cited and as demonstrated above, the Appellant's assertions are incorrect regarding what the broadly claimed invention accomplishes.

Note: Regarding Linden, the applicant has not provided any arguments in the appeal brief paper dated 6/22/2010 other than merely stating, Linden is simply cited to show the use of a URI and in other respects is not relevant. Contrary to the appellant's assertions, Linden is relevant and supports usage of URI for identifying information for the request, usage of server 3, please see, abstract, col., 3, lines 7 – 14, figure 1).

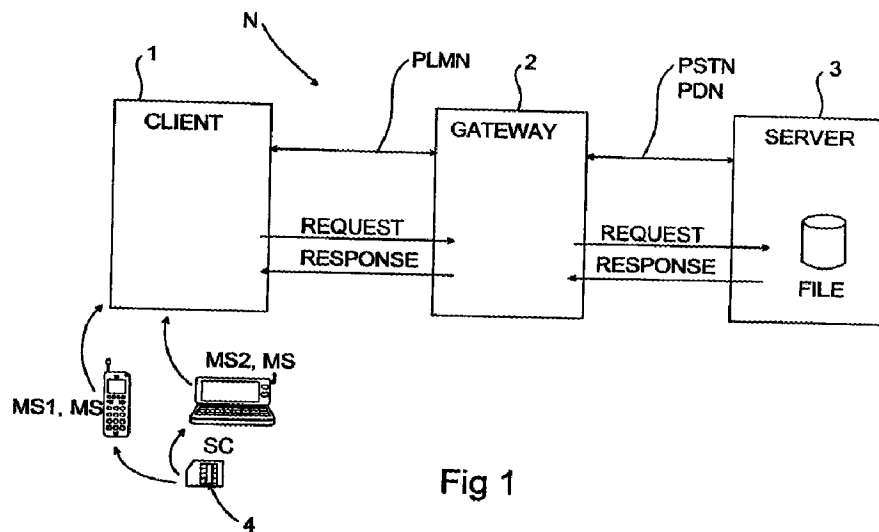


Fig 1

As per the prosecution history, the Appellant has **not provided any arguments** in the appeal brief paper dated 6/22/2010 for the limitations of the dependent **claims 2, 3, and 19 of the Ground 4 rejections.**

As per the prosecution history, the Appellant has **also not presented any arguments** in the appeal brief paper dated 6/22/2010 for the limitations of dependent **claims 4-7, 10, 20, 21, 25, 27 of the Grounds 5 through 9 rejections.**

In short, the Appellant's concerns, "**All of these references relate to telephone conferences** which by definition involve multiple parties." **is also contrary** to the **Appellant own presented claim 3** that clearly contains, "**conference** call booking application" that is dependent under claim 1, which clearly contains, "**telephone** call". Further, the claims 1 and 11 contains "comprising" and the claimed invention is **not limited to** not supporting multiple parties.

(11) Related Proceeding(s) Appendix

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No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Haresh N. Patel/

Haresh N. Patel
Primary Examiner, Art Unit 2454
8/1/2010

Conferees:

/NATHAN FLYNN/

Supervisory Patent Examiner, Art Unit 2454

/John Follansbee/

Supervisory Patent Examiner, Art Unit 2451